

## PATENT COOPERATION TREATY

## PCT


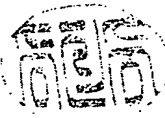
## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>SH-20071-PCT</b>	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. <b>PCT/KR2004/001696</b>	International filing date(day/month/year) <b>09 JULY 2004 (09.07.2004)</b>	Priority date (day/month/year) <b>15 JULY 2003 (15.07.2003)</b>	
International Patent Classification (IPC) or national classification and IPC  <b>IPC7 G11B 7/085</b>			
Applicant  <b>SAMSUNG ELECTRONICS CO., LTD. et al</b>			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 40px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand  <b>01 FEBRUARY 2005 (01.02.2005)</b>	Date of completion of this report  <b>22 NOVEMBER 2005 (22.11.2005)</b>
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer  <b>SONG, Jin Suk</b>  Telephone No. 82-42-481-5694 

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/001696

## Box No. 1 Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This report is based on translations from the original language into the following language \_\_\_\_\_ which is the language of a translation furnished for the purposes of:
    - ☐ international search (under Rules 12.3 and 23.1(b))
    - ☐ publication of the international application (under Rule 12.4)
    - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
  - ☒ the international application as originally filed/furnished
  - ☐ the description:
    - pages \_\_\_\_\_ as originally filed/furnished
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☐ the claims:
    - pages \_\_\_\_\_ as originally filed/furnished
    - pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☐ the drawings:
    - pages \_\_\_\_\_ as originally filed/furnished
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
    - pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_
  - ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, Nos. \_\_\_\_\_
  - ☐ the drawings, sheets \_\_\_\_\_
  - ☐ the sequence listing (*specify*): \_\_\_\_\_
  - ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
  - ☐ the description, pages \_\_\_\_\_
  - ☐ the claims, Nos. \_\_\_\_\_
  - ☐ the drawings, sheets \_\_\_\_\_
  - ☐ the sequence listing (*specify*): \_\_\_\_\_
  - ☐ any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

# INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/KR2004/001696

## Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims 1-5	YES
	Claims	NO
Inventive step (IS)	Claims 1-5	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-5	YES
	Claims	NO

### 2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

D1: JP 05-325210 (PIONEER ELECTRONIC CORP) 10 Dec. 1993

D2: US 5297131A (SONY CORP.)22 MARCHJ 1994

#### 1. Novelty and Inventive Step

The subject matter of claims 1-5 of the present invention is a track jump apparatus and method which perform track jumping in consideration of the position of a pickup and the position of a lens of the pickup in an optical recording medium and system with eccentricity are provided.

D1 and D2 is the most relevant state of the arts of the present inventions.

D1 discloses a method of performing a stable jump without being affected by the eccentricity of an optical disk by varying either one of the time width or the wave height value of a brake pulse in accordance with the time till a zero crossing of tracking error signals which correspond to the amount of the disk eccentricity.

D2 discloses a eccentricity detection and compensation of a disk by a preformatted encoding pattern. An area for recording preformatted is provided on a rewritable disk in order to obtain information of an eccentricity provided when the disk is chucked.

However D1 does not include servo which judges a position of the pickup from the error signal output from RF processing unit when a track jump is performed and outputs a track jump start/end control signal for the pickup, which gives clear indication of an improvement on a track access control system.

Therefore, the subject matter of the claim 1-5 of the present invention seems to be novel, and cannot be considered of combination inventive step (PCT Article 33(2)-(3)).

#### 2. Industrial Applicability

Claims 1-5 of the present invention meet the criteria set out in PCT Article 33(4) because they are directed to a track jump apparatus and method in an optical recording medium and system. Therefore, the subject matter of claims 1-5 is considered to be industrially applicable.